United Nations E/2002/L.24

Economic and Social Council

Distr.: Limited
23 July 2002

Original: English

Substantive session of 2002
New York, 1-26 July 2002
Agenda item 14 (g)
Social and human rights questions: human rights

Social and human rights questions: human rights

Note by the Secretariat

The present note contains an unedited excerpt from the report of the Commission on Human Rights on its fifty-eighth session, giving details of the programme budget implications of resolutions and decisions adopted by the Commission.

02-49247 (E) 230702

At its fifty-eighth session the Commission on Human Rights adopted a number of resolutions and decisions which entailed programme budget implications. The Commission was informed through oral statements of these programme budget implications.

The texts of the oral statements made in the Commission are reproduced below for the consideration of the Council.

Programme budget implications of draft resolution E/CN.4/2002/L.12 on racism, racial discrimination, xenophobia and related intolerance. Adopted as resolution 2002/68.

Statement submitted by the Secretary-General in accordance with rule 31 of the rules of procedure of the Economic and Social Council

1. This oral statement is made in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council.

2. Under operative paragraph 7 of this draft resolution, the Commission would decide to establish an Intergovernmental Working Group, with the following mandate:

(a) Make recommendations with the view to the effective implementation of the Durban Declaration and Programme of Action;

(b) Prepare complementary international standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects.

3. Under operative paragraph 8 of this draft resolution, the Commission would decide to establish a Working Group of five Independent Experts on People of African Descent, appointed on the basis of equitable geographical representation by the Chairman of the fifty-eighth session of the Commission on Human Rights, in consultation with regional groups to meet for two sessions of five working days each, prior to the fifty-ninth session of the Commission.

4. Under operative paragraph 9 of this draft resolution, the Commission would request the Working Group of Experts on People of African Descent to submit a report to the fifty-ninth session of the Commission on Human Rights.

5. Under operative paragraph 15 of this draft resolution, the Commission would stress the need to ensure adequate financial and human resources, including through the regular budget of the United Nations, for the Office of the High Commissioner for Human Rights to carry out its responsibilities efficiently in the implementation of the Durban Declaration and Programme of Action.

6. Under operative paragraph 16 of this draft resolution, the Commission would decide to establish a voluntary fund to provide additional resources for:

(a) The effective implementation of the Durban Declaration and Programme of Action, in particular in developing countries;

(b) The participation of people of African descent, representatives of developing countries, especially the least developed countries, NGOs and experts in the open-ended sessions of the Working Group on people of African descent;

(c) The activities of the Committee on the Elimination of Racial Discrimination;

(d) National, regional and international activities to counter racism, racial discrimination, xenophobia and related intolerance e.g. through seminars;

(e) The anti-racial discrimination activities of the anti-discrimination unit.

7. Under operative paragraph 38 of this draft resolution, the Commission would decide to renew the mandate of the Special Rapporteur by three years.

8. With regard to operative paragraph 15, it is recalled that by its resolution 56/254 A of 24 December 2001, the General Assembly approved resources under the regular budget of $44,727,100 for the OHCHR for the biennium 2002-2003. At that time, the General Assembly was also informed that the OHCHR projected that extrabudgetary resources of $62,947,300 might be made available for the OHCHR during the same period. It is further recalled that by its resolution 56/266 of 27 March 2002 on Comprehensive implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the General Assembly approved the establishment in the OHCHR of an Anti-Discrimination Unit to combat racism, racial discrimination, xenophobia and related intolerance and to promote equality and non-discrimination.

9. The attention of the Commission is also drawn to the provisions of resolution 45/248 B, part VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

10. The establishment of the Working Group of five Independent Experts on People of African Descent in operative paragraph 8 would require provisions for travel and subsistence of the experts for the two sessions. Total full cost of such travel and subsistence would amount to US$ 51,500 for the biennium 2002-2003. No provisions have been made under Section 22, Human rights, of the programme budget for the biennium 2002-2003 for those travel and subsistence requirements. They would need to be met through additional appropriations by the General Assembly.

11. The total full cost of the activities envisaged under operative paragraph 38 of this draft resolution, related to the renewal of the mandate of the Special Rapporteur, would amount to $33,600 per year under Section 22, Human rights. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the current biennium and will be included in the proposed programme budget for the biennium 2004-2005. Hence, no additional appropriations would be required as a result of the adoption of the draft resolution.

12. No provisions have been made under the programme budget for the biennium 2002-2003 for the conference services requirements associated with the establishment of an Intergovernmental Working Group as provided in operative paragraph 7 and of the Working Group of five Independent Experts on People of African Descent as provided in operative paragraph 9.

13. Should the draft resolution be adopted, additional conference servicing requirements in the total amount of US$ 667,100 for the implementation of the meetings related to operative paragraphs 7 and 9 in the biennium 2002-2003 would be as follows:

Intergovernmental Working Group

	US dollars
Section 2, General Assembly Affairs and Conference Services	256,100
Section 27E, Administration Geneva	5,400
Total:	261,500

Working Group of five Independent Experts on People of African Descent

	US dollars
Section 2, General Assembly Affairs and Conference Services	397,600
Section 27E, Administration Geneva	8,000
Total:	405,600

14. General Assembly Affairs and Conference Services in Geneva, upon further review of the approved calendar of conferences and meetings for the biennium 2002-2003, has determined that conference servicing requirements could be absorbed if the working groups could meet on the following dates:

	Available dates
Intergovernmental Working Group	2-13 December 2002
Working Group of five Independent Experts	28 October to 1 November 2002
	3 to 7 February 2003

15. The Office of the High Commissioner has verified that the working groups will meet on these dates.

16. In light of the operations of conference services experienced in 2000-2001 when substantial overexpenditures were incurred, should the working groups not be able to schedule their respective meetings on the above available dates, it will not be possible to convene these meetings before the fifty-ninth session of the Commission on Human Rights.

17. It will be recalled that under the procedure established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the proposed programme budget. Under this procedure, if additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned can be implemented only through redeployment of resources from low-priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred to a later biennium.

18. No activities could be identified, at this stage, for termination, deferral, curtailment or modification under Section 22, Human rights. Should the Commission adopt draft resolution E/CN.4/2002/L.12, additional provisions of $51,500 under Section 22, Human rights, would be required over and above the programme budget for the biennium 2002-2003.

19. As regards operative paragraph 16 whereby the Commission would decide to establish a voluntary fund, it is recalled that, in accordance with United Nations Financial Regulations and Rules, general trust funds may be established solely by the General Assembly or by the Secretary-General.

Programme budget implications of draft resolution E/CN.4/2002/L.45 on effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights. Adopted as resolution 2002/29.

Statement submitted by the Secretary-General in accordance with rule 31 of the rules of procedure of the Economic and Social Council

1. This oral statement is made in accordance with rule 28 of the rules of procedures of the functional commissions of the Economic and Social Council.

2. Under the terms of operative paragraph 21 of this draft resolution, the Commission would request the Economic and Social Council to authorize the Working Group on Structural Adjustment to meet for two weeks well in advance of, and at least four weeks prior to, the fifty-ninth session of the Commission with the mandate to: (a) continue working on the elaboration of basic policy guidelines on structural adjustment programmes and economic, social and cultural rights which could serve as a basis for a continued dialogue between human rights bodies and international financial institutions, and (b) report to the Commission at its fifty-ninth session.

3. Resources have been included under Section 2, General Assembly Affairs and Conference Services, and Section 27E, Administration Geneva, of the programme budget for the biennium 2002-2003 to cover the conference servicing requirements of the Working Group in 2002 only. Hence the convening of one session of the Working Group in 2003 would entail additional conference servicing requirements. These requirements are estimated at US$271,000.

4. In light of the operations of conference services experienced in 2000-2001 when substantial over-expenditures were incurred, it will not be possible to absorb these additional conference-servicing requirements. They would need to be met through additional appropriations by the General Assembly.

Programme budget implications of draft decision 5 on the Social Forum recommended by the Sub-Commission on the Promotion and Protection of Human Rights. Adopted as decision 2002/106.

Statement submitted by the Secretary-General in accordance with rule 31 of the rules of procedure of the Economic and Social Council

1. This oral statement is made in accordance with rule 28 of the rules of procedures of the functional commissions of the Economic and Social Council.

2. Under the terms of Sub-Commission resolution 2001/24, the Commission is requested to authorize the holding of a pre-sessional forum on economic, social and cultural rights before the fifty-fourth session of the Sub-Commission, to be known as the Social Forum, for two days, with the participation of ten members of the Sub-Commission.

3. No provision have been made under programme budget 2002-2003 for the implementation of the request contained in resolution (E/CN.4/Sub.2/2001/24). The additional requirements would be as follows:

Daily subsistence allowance for 10 participants in the forum	$ 9,400
Consultations (including electronic consultations) for 2 months	$ 10,000
Conference services costs for the forum during two days	$ 56,600
Total	$ 76 000

4. It will be recalled that under the procedure established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the proposed programme budget. Under this procedure, if additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned can be implemented only through redeployment of resources from low-priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred to a later biennium.

5. No activities could be identified, at this stage, for termination, deferral, curtailment or modification under Section 22, Human rights. Should the Commission adopt draft decision 5 (subsequently adopted by the Commission as decision 2002/106), additional provisions of $19,400 under Section 22, Human rights, would be required over and above the resources approved for that section in the programme budget for the biennium 2002-2003.

6. In light of the operations of conference services experienced in 2000-2001 when substantial over-expenditures were incurred, it will not be possible to absorb the additional requirements of 56,600 entailed by the holding of the forum. These requirements would need to be met through additional appropriations by the General Assembly.

Programme budget implications of oral draft decision proposed by the Chairperson, on the organization of work of the fifty-ninth session of the Commission. Adopted as decision 2002/116.

Statement submitted by the Secretary-General in accordance with rule 31 of the rules of procedure of the Economic and Social Council

1. This oral statement is made in accordance with rule 28 of the rules of procedures of the functional commissions of the Economic and Social Council.

2. Under the terms of this draft decision, the Commission would request the Economic and Social Council to authorize 14 fully serviced additional meetings, including summary records, in accordance with rules 29 and 31 of the rules of procedure of the functional commissions of the Economic and Social Council, for the Commission's fifty-ninth session.

3. Total full cost of the activities envisaged under this draft decision, if adopted, would amount to $284,200 in the biennium 2002-2003, as follows:

	US dollars
Section 2, General Assembly Affairs and Conference Services	267,800
Section 27E, Administration Geneva	16,400
Total	284,200

4. No provisions have been made under the programme budget for the biennium 2002-2003 for this additional conference servicing.

5. In light of the operations of conference services experienced in 2000-2001 when substantial over-expenditures were incurred, it will not be possible to absorb the additional requirements entailed by the additional 14 meetings. These requirements would need to be met through additional appropriations by the General Assembly.